

**COPY****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/729,309  
Applicant : Gregory M. Dobbs, et al.  
Filed : December 5, 2003  
Title : A PLATE-TYPE HEAT EXCHANGER  
TC/A.U. : 3743 3753  
Examiner : FLANIGAN, ALLEN J.  
Docket No. : 965-009CON2  
Customer No. : 20874

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Restriction Requirement mailed from the United States Patent and Trademark Office on August 12, 2004, Applicants respectfully wish to point out that claims 1-36 were cancelled without prejudice and new claims 37-52 added to the present application by Preliminary Amendment filed contemporaneously with the application itself. Accordingly, Applicants cannot elect any of cancelled claims 1-36, and request clarification and reconsideration by the Examiner of the need for a Restriction Requirement.

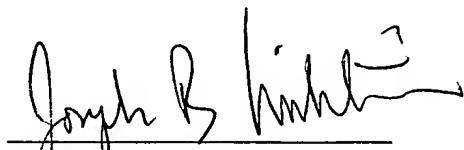
Applicants believe that no fees are due on account of the submission of this paper. However, if Applicant is incorrect and fees are due, the Director is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0289.

Response to Restriction Requirement  
USSN 10/729,309  
Attorney Docket No. 965-009CON2  
Inventor: DOBBS et al.  
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Please direct any questions or comments to Joseph B. Milstein at (315) 425-9000.

Respectfully submitted,

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